

Atty. Dkt. No. 16325.009
(072121-0389)

REMARKS

Claims 1-19 are pending in this application. In view of the following remarks, reconsideration and allowance of this application is respectfully requested.

As a preliminary matter, Applicants thank the Examiner for returning Examiner-initialed copies of the Forms PTO-1449, filed April 14, 2004, August 12, 2005, and January 17, 2006. Applicants respectfully request that the Examiner also consider and make of record the references cited in the Information Disclosure Statements and Forms PTO/SB/08 submitted on March 15, 2006, March 27, 2006, and June 1, 2006. Applicants request that Examiner-initialed copies of these forms PTO/SB/08 be returned to Applicants.

Claims 1-19 stand rejected on the ground of non-statutory double-patenting over the claims of U.S. Patent No. 6,756,383. In the Office Action (page 2), it was acknowledged that a timely filed terminal disclaimer, in compliance with 37 C.F.R. §§ 1.321(c) or 1.321(d), may be used to overcome an actual or provisional rejection based on a non-statutory double-patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. As a terminal disclaimer, in compliance with 37 C.F.R. § 1.321(c) is being submitted herewith, Applicants respectfully request withdrawal of this ground of rejection.

CONCLUSION

In view of the above remarks and accompanying terminal disclaimer, it is respectfully submitted that all rejections have been overcome. Early notice to this effect is earnestly solicited. The Examiner is invited to telephone the undersigned at the number listed below if such would be helpful in advancing the application to issuance.

Respectfully submitted,

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